S.B. Criminal Misc. Bail Application No.3413/2006

Date : 08.08.2006.

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. Dhirendra Singh for the applicants.
Mr. V.R. Mehta, Public Prosecutor.

I have heard learned counsel for the applicants as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

Learned counsel for the applicants submits that in this case two FIRs were lodged; one FIR has been lodged by the accused applicants against the complainant and another FIR has been lodged by the complainant against the accused-applicants. He submits that the complainant lodged the FIR in defence to counter the FIR lodged by the accused-applicants. He further submits that there is no injury on the person of the injured and no case under Section 354 IPC is made out.

On the other hand, learned Public Prosecutor has

opposed the bail application but has not converted the fact that the first FIR in relation to the present incident was lodged by the accused-applicants.

I have considered the submissions made before me and carefully perused the material available on record.

Taking into consideration the overall facts and circumstances of the present case, I think it just and proper to enlarge the accused applicants on bail.

Accordingly, the bail application filed under Sec. 438 Cr.P.C. is allowed and it is directed that in the event of arrest of applicants (1) Madan Singh s/o Bheru Singh Bhati (2) Kailash s/o Madan Singh Bhati (3) Pappu s/o Ramchandra Tiwadi (4) Shyam Lal s/o Rajmal Soni (5) Chandra Prakash s/o Dalichand Tak (6) Mahaveer s/o Goverdhan Singh Bari (7) Mohan s/o Banshi Sain (8) Devi Singh s/o Mohan Daroga (9) Bajran s/o Mathura Prasad Dadhich (10) Bheru Singh s/o Goverdhan Singh Bari (11) Bhanwar Singh s/o Narain Singh

Chandawat (12) Raghuveer Singh s/o Ratan Lal Gehlot (13) Kamlesh s/o Ratan Lal Sain and (14) Gopal Singh s/o Ratan Singh Gehlot by I.O./S.H.O.in FIR No.134/2006 P.S. Mandal, District Bhilwara, they shall be released on bail provided each of them furnishes a personal bond in the sum of Rs.30,000/- alongwith two sound and solvent sureties in the sum of Rs.15,000/- each to the satisfaction of Investigating Officer on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(ii)That they shall not leave India without the previous permission of the Court.

(SATYA PRAKASH PATHAK), J.

vijayant